

IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE CHARLES L. PATRICK,	)	No. C 12-00083 EJD (PR)
	)	
Petitioner.	)	ORDER OF DISMISSAL
	)	
	)	
	)	
	)	

On January 5, 2012, Petitioner, who is currently incarcerated at High Desert Prison in Susanville, California, filed letter discussing matters in a state criminal proceedings which the Clerk construed as an intent to file a petition for a writ of habeas corpus under 28 U.S.C. § 2254. The Clerk sent Petitioner a notice on the same day, that he must file a petition within thirty days to avoid dismissal of the action; the Clerk included a copy of the court's form petition. (See Docket No. 3.)

Furthermore, Petitioner did not apply for leave to proceed in forma pauperis or pay the filing fee, so on the same day, the Clerk of the Court sent Petitioner a notice that he must either pay the full filing fee or file an in forma pauperis application within thirty days or the case would be dismissed. (Docket No. 2.) Along with the notice, Petitioner was mailed the Court's In Forma Pauperis Application, instructions for completing such an application, including a Certificate of Funds form to be completed and signed by a prison official, and a return

1 envelope. (Id.) The deadline has since passed, and Petitioner has not complied.

2 Accordingly, this case is DISMISSED without prejudice for failure to pay the  
3 filing fee. The Clerk shall terminate any pending motions and close the file.

4  
5 DATED: 2/22/2012



EDWARD J. DAVILA  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

IN RE CHARLES L. PATRICK,  
Petitioner.

Case Number: CV12-00083 EJD

**CERTIFICATE OF SERVICE**

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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 2/22/2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Charles Ligon Patrick C-74465  
High Desert Prison  
P. O. Box 3030  
Susanville, CA 96127

Dated: 2/22/2012

Richard W. Wieking, Clerk  
/s/ By: Elizabeth Garcia, Deputy Clerk